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COUNSEL/PARTIES OF RECORD	
JUL 31 2018	
CLERK US DISTRICT COURT DISTRICT OF NEVADA	
BY: _____	DEPUTY _____

7 *Attorneys for Defendants Joseph Allison,*  
*Robert Ardinger, Nathan Garnica, Lee Grider,*  
8 *John Henley, Joel Hightower, John Hill,*  
*Juliette Roberson, Chris Smith, and Steven Crowder*  
9

10 UNITED STATES DISTRICT COURT  
11 DISTRICT OF NEVADA

ORDER

12 JOSEPH MIZZONI,

13 Plaintiff,

14 vs.

15 C/O ALLISON, et al.,

16 Defendants.

Case No. 3:15-CV-00313-MMD-VPC

**MOTION FOR EXTENSION OF TIME TO FILE  
JOINT PRETRIAL ORDER**  
**(Defendants' Third Request; Fourth Request  
Overall)**

17 Defendants Joseph Allison, Robert Ardinger, Nathan Garnica, Lee Grider, Sgt. John Henley,  
18 Joel Hightower, John Hill, Sgt. Juliette Roberson, Chris Smith, and Steven Crowder (Defendants), by  
19 and through counsel, Adam Paul Laxalt, Attorney General of the State of Nevada, and Ian Carr, Deputy  
20 Attorney General, hereby Motion for Extension of Time to File a Joint Pretrial Order. This Motion is  
21 based on Federal Rule of Civil Procedure 6(b)(1)(A), the following Memorandum of Points and  
22 Authorities, and all papers and pleadings on file in this action.

23 **MEMORANDUM OF POINTS AND AUTHORITIES**

24 **I. ARGUMENT**

25 Defendants respectfully request a thirty (30) day extension of time out from the current deadline  
26 (July 27, 2018) to file a joint pretrial order in this case. Counsel for Defendants is confronted with  
27 numerous competing deadlines and a high workload due to staffing changes in the Office of the  
28 Attorney General. Furthermore, due to separate negotiations during an Early Mediation Conference

1 with Plaintiff in his separate case, *Mizzoni v. State of Nevada*, 2:17-cv-01482-JAD-NJK, defense  
2 counsel remained uncertain as to whether this case would be included in the process. The uncertainty  
3 regarding the prior extension request and Plaintiff's unilateral pretrial order compounded the delay. See  
4 ECF No. 150. However, such obstacles are currently being resolved and the requested extension of  
5 time should afford Defendants adequate time to send a draft joint pretrial order to Plaintiff for  
6 discussion.

7 Federal Rule of Civil Procedure 6(b)(1) governs extensions of time and provides as follows:

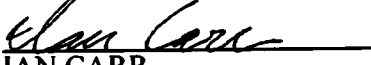
8 When an act may or must be done within a specified time, the court may,  
9 for good cause, extend the time: (A) with or without motion or notice if  
10 the court acts, or if a request is made, before the original time or its  
extension expires; or (B) on motion made after the time has expired if the  
party failed to act because of excusable neglect.


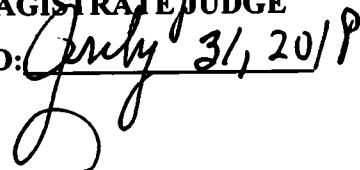
11 Defendants' request is timely and its limited nature will not hinder or prejudice Plaintiff's case, but will  
12 allow for a thorough order prior to trial. The requested thirty (30) day extension of time should permit  
13 Defendants time to send a draft pretrial order to Plaintiff for his inspection.

14 For these reasons, Defendants respectfully request a thirty (30) day extension of time from the  
15 current deadline to file a joint pretrial order in this case, with a new deadline to and including Monday,  
16 August 27, 2018.<sup>1</sup>

17 DATED this 27th day of July, 2018.

18 ADAM PAUL LAXALT  
Attorney General

19 By:   
20 IAN CARR  
Deputy Attorney General  
21 Bureau of Litigation  
Public Safety Division  
22 Attorneys for Defendants


23 IT IS SO ORDERED.  
24   
25 U.S. MAGISTRATE JUDGE  
26 DATED: July 31, 2018  
27 

28 <sup>1</sup> Because a thirty (30) day extension would create a deadline falling on a Sunday, Monday  
would become the legitimate deadline. See FED. R<sub>2</sub>CIV. P. 6(a)(1)(C).

**CERTIFICATE OF SERVICE**

I certify that I am an employee of the Office of the Attorney General, State of Nevada, and that on this 27th day of July, 2018, I caused to be deposited for mailing a true and correct copy of the foregoing, **MOTION FOR EXTENSION OF TIME TO FILE JOINT PRETRIAL ORDER**, to the following:

Joseph Mizzoni #68549  
High Desert State Prison  
Po Box 650  
Indian Springs, Nevada 89070

  
An employee of the  
Office of the Attorney General